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## EXHIBITS

- Exhibit A – Cost Estimate
- Exhibit B – Assessment Roll
- Exhibit C – Method of Assessment Apportionment
- Exhibit D – Assessment Diagram
INTRODUCTION

This report provides an analysis of the financial and administrative obligations of Assessment District No. 98-2 (Calle Del Barco) (“AD No. 98-2” or the “District”) to be paid through the collection of assessments in fiscal year (FY) 2009-2010.

This report is organized into the following sections:

Section I - Background
Section I provides information regarding the formation of AD No. 98-2 and the facilities financed.

Section II - Cost Estimate
Section II presents the projected budget for FY 2009-2010, the budget for FY 2008-2009, and projected year-end costs for maintenance of the landslide maintenance facilities.

Section III - Annual Assessments
Section III contains the proposed assessment of the total FY 2009-2010 maintenance costs upon the parcels within AD No. 98-2 in proportion to the estimated benefits to be received by such parcels, from said maintenance.

Section IV – Assessment Diagram
Section IV includes a reduced copy of the assessment diagram.

I. BACKGROUND

County Improvement District (CI District) Nos. 2608 and 2639 were formed by the County of Los Angeles to fund the construction of slide monitoring equipment and dewatering facilities in the Calle Del Barco landslide area. The improvements were installed following above normal precipitation during the 1977-78 winter storms, when stress fractures in the roadway along Calle Del Barco were observed. CI District No. 2608 was formed to construct remedial improvements for the slide.

In December 1985, the Los Angeles County Department of Public Works prepared a report summarizing geotechnical data compiled since the completion of the remedial improvements constructed under CI District No. 2608. The report indicated incipient movement was developing in the Calle Del Barco slide and, unless rising groundwater levels were lowered, movement could persist and a major slide could develop. In May 1986, the Board of Supervisors formed CI District No. 2639 and ordered dewatering facilities constructed and appurtenant rights-of-way acquired. The assessment district proceedings for CI District Nos. 2608 and 2639 did not include provisions for maintenance. While the County retains their authority over the two assessment districts for collection of the assessments levied against the parcels to fund the original construction of the improvements, the City is responsible for the ongoing maintenance of the public facilities.

As part of the City’s maintenance of the existing system of improvements, the City’s Geotechnical Consultant monitors ground movement, dewatering activities, groundwater levels,
and water usage within AD No. 98-2. As a result of the intense winter storms of 1997-98, the City’s Geotechnical Consultant recommended new analysis of the reactivated landslide and reconstruction of the existing dewatering and monitoring system, including installation of additional dewatering wells and slope inclinometers.

On June 29, 1998, the City Council of the City of Malibu held a public hearing regarding the Resolution of Intention and Engineer’s Report for the reconstruction and annual maintenance of these improvements by AD No. 98-2. A majority of the assessment ballots tabulated at the public hearing were in favor of the assessment and a Resolution approving the Engineer’s Report, confirming the assessments, and ordering the construction of the improvements was adopted.

Based on its 2000 findings, the City’s Geotechnical Consultant recommended that a new dewatering well be constructed to replace dewatering facilities lost in the 1998 slope failure and increase the dewatering capacity of the current dewatering system. On June 11, 2001, the City Council of the City of Malibu held a public hearing regarding the Resolution of Intention to order changes in connection with AD No. 98-2 and Changes and Modifications to Engineer’s Report for the construction of a new dewatering well, annual maintenance of the existing and additional improvements, and increased annual maintenance assessment. A majority of the assessment ballots tabulated at the public hearing were in favor of the assessment and a Resolution approving the Changes and Modifications to Engineer’s Report, confirming the assessments, and ordering the construction of the additional improvement was adopted.

**FACILITIES AND MAINTENANCE FINANCED BY ASSESSMENT DISTRICT NO. 98-2**

The City proposes to levy assessments in FY 2009-2010 to finance the inspection, maintenance and repair of the following facilities and activities:

- Dewatering wells (11 each),
- Monitoring wells (9 each),
- Multi-stage piezometers (21 each),
- Hydraugers (10 each),
- Slope inclinometers (12 each),
- Drainage swales inspection,
- Energy costs, and
- Ground crack observations.

The City of Malibu contributes the costs of the following activities to Assessment District No. 98-2:

- Weed abatement,
- Storm drain cleaning, and
- Road maintenance and crack sealing on public roads.
II. COST ESTIMATE

The maximum annual assessment for FY 2009-2010 is $976.76 per benefit assessment unit, which is the same as the maximum annual assessment for FY 2008-09. The benefit assessment units applicable to each parcel depend upon land use.

The FY 2009-2010 budget is $53,523, which consists of costs for operation/maintenance, replacement/special projects, energy, and administration. This is based on projected needs for an average rainfall year. In addition to estimated costs, the assessment levy includes reserves to cover possible expenses associated with an above-average rainfall year and delinquent assessments. Any funds not used in the current year are held in the assessment district account and applied to the next fiscal year. Since the estimated FY 2008-2009 year-end fund balance of $164,303 will cover the projected budget and the desired reserve of $46,046 (100.00% of costs for operation/maintenance and replacement/special projects for an above-average rainfall year), no annual assessment will be levied for FY 2009-2010. However, since the County of Los Angeles requires an annual levy enrollment to keep the fund number active, a nominal assessment at $1.00 per BAU will be levied.

The benefit assessment units applicable to each parcel depends upon location and land use. Properties located within Zone A are assigned benefit assessment units for both slide protection and road access. Properties located within Zone B are assigned benefit units for road access only. Properties located within Zone C are assigned benefit units for slide protection only. A comparison of FY 2009-2010 and FY 2008-2009 assessment amounts by zone and for selected land uses is shown in Table 1 on the next page.
Table 1
Summary of Annual Maintenance Assessment
Assessment District No. 98-2 (Calle Del Barco)
Fiscal Years 2009-2010 and 2008-2009

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<thead>
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<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Zone A – Protection &amp; Access</td>
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<td>Single Family Home</td>
<td>2.00</td>
<td>$2.00</td>
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<td>$1,953.52</td>
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<td>Condominium/Apartment</td>
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<td>$1.65</td>
<td>$1.65</td>
<td>$1,611.65</td>
<td>$1,611.65</td>
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<tr>
<td>Zone B – Access Only</td>
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<td>Single Family Home</td>
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<td>$1.00</td>
<td>$1.00</td>
<td>$976.76</td>
<td>$976.76</td>
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<tr>
<td>Condominium/Apartment</td>
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<td>$0.65</td>
<td>$0.65</td>
<td>$634.89</td>
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<td>Zone C – Protection Only</td>
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<tr>
<td>Single Family Home</td>
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<td>$1.00</td>
<td>$1.00</td>
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<td>$976.76</td>
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<td>Condominium/Apartment</td>
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<tr>
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<td>$95.00</td>
<td>$95.00</td>
<td>$92,792.20</td>
<td>$92,792.20</td>
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<tr>
<td>Total Benefit Units</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
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</table>

The proposed budget, current budget, and projected year-end costs are itemized in Exhibit A.

III. ANNUAL ASSESSMENTS

Pursuant to the provisions of law, the costs and expenses of the facilities inspection, maintenance, and repair to be performed in AD No. 98-2 have been assessed to the parcels of land benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcels, reference is made to the Assessment Roll, a copy of which is attached hereto as Exhibit B. For particulars as to the determination of benefit, reference is made to the Method of Assessment, a copy of which is attached hereto as Exhibit C.

IV. ASSESSMENT DIAGRAM

The assessment diagram is attached hereto as Exhibit D.
EXHIBIT A

ANNUAL ASSESSMENT REPORT
ASSESSMENT DISTRICT NO. 98-2
(CALLE DEL BARCO)

FISCAL YEAR 2009-2010

COST ESTIMATE
## ASSESSMENT DISTRICT NO. 98-2 (CALLE DEL BARCO)
### FISCAL YEAR 2009-2010 BUDGET

<table>
<thead>
<tr>
<th>FY 2008–2009 RESOURCES</th>
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<tr>
<td>1. Beginning Fund Balance (Audited)</td>
<td>$216,104</td>
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<tr>
<td>2. Assessment Proceeds(^2)</td>
<td>$76</td>
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<tr>
<td>3. <strong>TOTAL FY 2008-2009 RESOURCES AVAILABLE</strong></td>
<td>$216,180</td>
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<tr>
<td>(Line 1+ Line 2)</td>
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<table>
<thead>
<tr>
<th>FY 2008-2009 EXPENDITURES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Operation &amp; Maintenance and Other Expenditures (Projected)</td>
<td>($51,877)</td>
</tr>
<tr>
<td>5. <strong>FY 2008-2009 ENDING FUND BALANCE</strong></td>
<td>$164,303</td>
</tr>
<tr>
<td>(Line 3+ Line 4+ Line 5)</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FY 2009–2010 EXPENDITURES</th>
<th></th>
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<tr>
<td>6. Estimated Operation/Maintenance and Replacement/Special Projects</td>
<td>($46,046)</td>
</tr>
<tr>
<td>(See attached FY 2009-2010 Cost Estimate)</td>
<td></td>
</tr>
<tr>
<td>7. Estimated City Administration and Energy Costs</td>
<td>($7,477)</td>
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<tr>
<td>(See attached FY 2009-2010 Cost Estimate)</td>
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<tr>
<td>8. Reserve Amount (100.00% x Line 6(^3))</td>
<td>($46,046)</td>
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<tr>
<td>9. Delinquency Contingency (0.00% x Line 11(^4))</td>
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<tr>
<td>10. <strong>TOTAL FY 2009-2010 EXPENDITURES</strong></td>
<td>($99,569)</td>
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<td>11. <strong>ASSESSMENT</strong>(^5)</td>
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<td>(Line 5+ Line 10)</td>
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<tr>
<td>12. Estimated FY 2009-2010 Surplus/(Deficit)</td>
<td>$64,829</td>
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<td>(Line 5 + Line 10 + Line 11)</td>
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</table>

1 Numbers in parentheses represent expenditures. Positive numbers represent revenue sources.
2 Reflects the estimated assessment revenue collected by the County Tax-Collector through May 19, 2009.
3 Required reserve amount for above average rainfall and other unknowns is equal to 100% of estimated expenditures.
4 No delinquency contingency is assumed for the FY 2009-2010 assessment levy.
5 Nominal assessment is levied in order to keep the District fund number active.
## FY 2009-10 MAINTENANCE COST ESTIMATE

### I. CITY ADMINISTRATION

<table>
<thead>
<tr>
<th>Task #</th>
<th>Description</th>
<th>FY 2008-09 Budget Summary</th>
<th>Projected Year End Cost</th>
<th>FY 2009-10 Budget Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>Report Preparation, Assessment Roll, Noticing</td>
<td>$2,124</td>
<td>$2,124</td>
<td>$2,124</td>
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<tr>
<td>B.</td>
<td>Project administration</td>
<td>$4,143</td>
<td>$4,143</td>
<td>$4,143</td>
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<tr>
<td>C.</td>
<td>Legal fees</td>
<td>$300</td>
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<tr>
<td>D.</td>
<td>Tax Collector's fee</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td><strong>SUBTOTAL (I)</strong></td>
<td><strong>$6,577</strong></td>
<td><strong>$6,577</strong></td>
<td><strong>$6,577</strong></td>
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### II. DEWATERING SYSTEM MONITORING AND MAINTENANCE

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<thead>
<tr>
<th>Task #</th>
<th>Description</th>
<th>FY 2008-09 Budget Summary</th>
<th>Projected Year End Cost</th>
<th>FY 2009-10 Budget Summary</th>
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<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>A.</td>
<td>Monitoring</td>
<td>$14,593</td>
<td>$13,400</td>
<td>$15,069</td>
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<tr>
<td>B.</td>
<td>Well &amp; Hydrauger Maintenance</td>
<td>$8,419</td>
<td>$7,100</td>
<td>$8,693</td>
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<tr>
<td>C.</td>
<td>Miscellaneous Observations</td>
<td>$1,683</td>
<td>$800</td>
<td>$1,738</td>
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<td>D.</td>
<td>Data Plotting and Analysis</td>
<td>$8,980</td>
<td>$11,500</td>
<td>$9,273</td>
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<tr>
<td>E.</td>
<td>Project Administration</td>
<td>$3,929</td>
<td>$4,900</td>
<td>$4,057</td>
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<tr>
<td>F.</td>
<td>Annual Report</td>
<td>$5,388</td>
<td>$5,200</td>
<td>$5,564</td>
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<td>G.</td>
<td>Unbudgeted Storm-related Emergencies</td>
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<td></td>
<td><strong>SUBTOTAL (II)</strong></td>
<td><strong>$42,992</strong></td>
<td><strong>$42,900</strong></td>
<td><strong>$44,394</strong></td>
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### III. CAPITAL IMPROVEMENT REPLACEMENTS AND SPECIAL PROJECTS

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<tr>
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<th>FY 2008-09 Budget Summary</th>
<th>Projected Year End Cost</th>
<th>FY 2009-10 Budget Summary</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>A.</td>
<td>Replacement Hydraugers (2-3) on Rambla Orienta</td>
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<td>$0</td>
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<tr>
<td>B.</td>
<td>SCADA System on Key Facilities</td>
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<tr>
<td>C.</td>
<td>GIS Data Conversion</td>
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<td>D.</td>
<td>Replacement Slope Inclinometer on Calle Del Barco</td>
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<td>$0</td>
<td>$0</td>
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<tr>
<td>E.</td>
<td>Replacement Dewatering Well</td>
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<td>$0</td>
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<td></td>
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<td><strong>SUBTOTAL (III)</strong></td>
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### IV. ENERGY COSTS

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<td><strong>SUBTOTAL (IV)</strong></td>
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## TOTAL EXPENDITURES (I - IV)

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<th>Projected Year</th>
<th>FY 2009-10</th>
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<tr>
<td></td>
<td>$52,069</td>
<td>$51,877</td>
<td>$53,523</td>
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EXHIBIT B

ANNUAL ASSESSMENT REPORT
ASSESSMENT DISTRICT NO. 98-2
(CALLE DEL BARCO)

FISCAL YEAR 2009-2010

ASSESSMENT ROLL
## Fiscal Year 2009-2010 Preliminary Assessment Roll
### City of Malibu
### Assessment District No. 98-2 (Calle del Barco)

<table>
<thead>
<tr>
<th>Assessor's Parcel Number</th>
<th>Assessment Number</th>
<th>BAU</th>
<th>FY 2009-10 Assessment</th>
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<td>4451-011-068</td>
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<td>4451-011-070</td>
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<td>4451-015-015</td>
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# Fiscal Year 2009-2010 Preliminary Assessment Roll
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75 Records Total: $95.00

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5/19/2009
EXHIBIT C

ANNUAL ASSESSMENT REPORT
ASSESSMENT DISTRICT NO. 98-2
(CALLE DEL BARCO)

FISCAL YEAR 2009-2010

METHOD OF ASSESSMENT APPORTIONMENT
EXHIBIT C

ANNUAL ASSESSMENT REPORT
ASSESSMENT DISTRICT No. 98-2
(CALLE DEL BARCO)

FOR FISCAL YEAR 2009-2010

METHOD OF SPREAD OF ASSESSMENT

Assessments levied pursuant to the Municipal Improvement Act of 1913 (hereinafter referred to as the “Act”) must be based on the benefit which each property receives from the system of improvements. Furthermore, as a result of Proposition 218, more stringent standards have been imposed for determining benefit. For example, Proposition 218 requires that special and general benefits be separated, with the amount of any assessment limited to the special benefits so conferred. Neither the Act nor Proposition 218 specify the method or formula for apportioning benefit or distinguishing special from general benefits.

Identification of the benefit the reconstruction and maintenance of the system of improvements will render to the properties in the Assessment District is the first step in developing the assessment spread methodology. The next step is to determine if the properties in the Assessment District receive a direct and special benefit from the system of improvements which is distinct from benefit received by the general public. For this Assessment District these determinations were made by David Taussig and Associates, Inc., the Assessment Engineer; in consultation with the City’s Geotechnical Consultant; and the City of Malibu Public Works Department.

Project Need

The primary purpose of the dewatering system is the reduction of groundwater, from both rainfall and residential effluent, percolating down to the slide plane. This reduction in groundwater stabilizes the landslide outlined on the assessment diagram (Exhibit D). Stabilization of the landslide plane provides two distinct types of benefit to property within the Assessment District: protection of the property (i.e. the parcels) located on the slide plane and protection of the following roads within the landslide area:

- Calle Del Barco,
- Paseo Hidalgo,
- Rambla Orienta,
- Rambla Pacifico, and
- Rambla Vista.

Assessment District Boundary

The District boundary as shown in Exhibit D was established to encompass those properties which are specifically benefited by the system of improvements. This includes all properties which are located in whole or in part within the ancient landslide area and all properties which
are accessed via streets within the landslide area. The District boundary does not include any properties which are located northeast of the Headscarp of the Rambla Landslide, since there is no access to properties located beyond this point.

**Specific Benefit**

The system of improvements to be installed and maintained by the District specifically benefit the properties within the District in one or two distinct ways: protection of the property and protection of the roads. First, properties located within the ancient slide boundary are reducing the risk and degree of damage or distress suffered from slope failure and/or movement (the “Protection” benefit). Second, access is maintained for those properties which are reached using roads affected by the slide (the “Access” benefit). The benefits associated with Protection and Access are deemed to be equal, since use of the property cannot be fully enjoyed without either one.

As the roads located within the District do not convey any through traffic, there is no general benefit to the public for such road access. Clearly, stabilization of the slide confers a special benefit enjoyed only by the properties which may be impacted by slope failure or movements. The April 1998 analysis prepared by the City’s Geotechnical Consultant, indicates the impacted properties are all located either within or on the slide boundary.

**Method of Assessment**

After the boundary of the District has been established and the determination of specific benefits has been made, the assessment to individual properties must be determined. As previously discussed, there are two types of direct and special benefit conferred upon property within the District, Protection and Access. Since not all properties receive both benefits, three zones have been established which correspond to the benefits received by the properties in the District.

- **Zone A:** Encompasses those properties that are located within the landslide boundary and must be accessed via roads within the landslide boundary (Protection and Access benefit).
- **Zone B:** Encompasses those properties that are located outside the landslide boundary and must be accessed via roads within the landslide boundary (Access benefit only).
- **Zone C:** Encompasses those properties that are located within the landslide boundary and which may be accessed via roads outside of the landslide boundary (Protection benefit only).

Protection benefits are allocated based on land use designation. The reason for this allocation is two fold. First, the proposed system of improvements have been sized to provide adequate dewatering capacity at full buildout. Second, the Protection benefit conferred upon each parcel of property is a function of each parcel’s land use designation and number of dwelling units. Each dwelling unit is deemed to be equally protected, therefore, no differentiation is made between single family or condominium/apartment units. For purposes of assigning Protection Benefits to each parcel, one dwelling unit equals one Benefit Assessment Unit (BAU).
Access benefits are allocated to each parcel of land based on the estimated number of trips for that parcel’s land use designation. Trip factor source data are from the Institute of Transportation Engineers Trip Generation study (5th Edition). The trip generation factors are shown below.

### Trip Generation Factors and Benefit Assessment Units

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#### Examples of Assignment of Benefit Assessment Units

Examples of the assignment of benefit assessment units are provided below for three different parcels; (1) a single family residential parcel in Zone A, (2) a single family residential parcel in Zone B, and (3) a single family residential parcel in Zone C.

1. **(1) Single Family Residential Parcel in Zone A**
   - BAU for Protection Benefit: 1.00
   - BAU for Access benefit: 1.00
   - Total BAUs: 2.00

2. **(2) Single Family Residential Parcel in Zone B**
   - BAU for Protection Benefit: 0.00
   - BAU for Access benefit: 1.00
   - Total BAUs: 1.00

3. **(3) Single Family Residential Parcel in Zone C**
   - BAU for Protection Benefit: 1.00
   - BAU for Access benefit: 0.00
   - Total BAUs: 1.00
Exemption from Annual Assessment

Any property within the District that is restricted in use as open space or against which a deed restriction preventing development is recorded may be deemed exempt from the levy of annual maintenance assessments by the City Council of the City of Malibu. To date, the following seven parcels have been exempted:

- 4451-015-022
- 4451-015-023
- 4451-015-024
- 4451-015-073
- 4451-015-085
- 4451-015-086
- 4451-018-037
ASSESSMENT DIAGRAM FOR
ASSESSMENT DISTRICT NO. 98-2
CITY OF MALIBU -- (CALLE DEL BARCO)
LOS ANGELES COUNTY, CALIFORNIA

Reference is hereby made to the Assessor maps of the County of Los Angeles for an exact description of the lines and dimensions of each lot and parcel.

Legend:
- Boundary of A.D. No. 98-2
- Roadway
- Assessment District identifier

Prepared by:
DAVID TAUSSIG & ASSOCIATES, INC.

Filed in the office of the City Clerk of the City of Malibu this ___ day of ______, 19___.

_____________________________________
Harry Peacock
City Clerk of the City of Malibu
County of Los Angeles, State of California

Recorded in the office of the City Engineer this ___ day of ______, 19___.

_____________________________________
Rick Morgan, P.E.
City Engineer, City of Malibu

Filed this ___ day of ______, 19___, at the hour of ___ o’clock ___m, in Book ___ of Maps of Assessment and Community Facilities Districts at page ___ and as Instrument No. ___, in the office of the County Recorder in the County of Los Angeles, State of California.

_____________________________________
County Recorder of The County of Los Angeles
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<td>3870 RAMBLA ORIENTA ST</td>
</tr>
<tr>
<td>B07</td>
<td>4451-015-079</td>
<td>21409 CALLE DEL BARCO</td>
<td>C01</td>
<td>4451-016-037</td>
<td>21424 DEER PATH LANE</td>
</tr>
<tr>
<td>B08</td>
<td>4451-015-055</td>
<td>21401 CALLE DEL BARCO</td>
<td>C02</td>
<td>4451-016-038</td>
<td>21424 DEER PATH LANE</td>
</tr>
</tbody>
</table>

Reference is hereby made to the Assessor maps of the County of Los Angeles for an exact description of the lines and dimensions of each lot and parcel.

An assessment was levied by the City Council on the lots, pieces, and parcels of land shown on this assessment diagram. The assessment was levied on the ____ day of ___19__, 19___. Reference is made to the assessment roll recorded in the office of the City Engineer for the exact amount of each assessment levied against each parcel of land shown on this assessment diagram.

Harry Peacock  
City Clerk of the City of Malibu

PREPARED BY  
DAVID TAUSSENG & ASSOCIATES, INC.